

Appl. No. 09/976,182
Amtdt. Dated September 5, 2003
Reply to Office Action of May 5, 2003

• • REMARKS/ ARGUMENTS • •

The present Preliminary Amendment is being filed together with a Request for Continued Examination.

By the present Preliminary Amendment, independent claim 1 has been changed to recite that the first and second elasticized zones have heights that extend in the longitudinal direction of the diaper and are adjacent to one another in the waist-encircling direction so that heights of the first and second elasticized zones are substantially coextensive along the waist-encircling direction.

In addition, new independent claim 5 has been added which is similar to previous claim 1 and recites that the first elasticized zones extend in the waist-encircling direction exclusively between each of the joined side edges of the front and rear waist-encircling regions and an adjacent side edge of the liquid absorbent core and that the second elasticized extends in the waist-encircling direction exclusively between opposite side edges of the liquid absorbent core.

New claims 6-8 have been added which correspond to claims 2-4, but depend from claim 5.

Entry of the changes to the claims is respectfully requested.

In the Official Action of May 5, 2003 the Examiner rejected claims 1-3 under rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,749,865 to Yamamoto et al.

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Yamamoto et al.

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By the present amendment the claims have been changed to structurally define the orientation and relative position of applicants' elasticized zones in a manner that distinguishes over the prior art.

Entry of the present Preliminary Amendment and an early examination of the application are respectfully requested.

If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved; the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,



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